



Cyprus

Country Reports on Human Rights Practices - [2003](#)

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Since 1974, the southern part of Cyprus has been under the control of the Government of the Republic of Cyprus while the northern part is ruled by a Turkish Cypriot administration which has proclaimed itself the "Turkish Republic of Northern Cyprus" ("TRNC") and is not recognized by the United States or any other country except Turkey. A substantial number of Turkish troops remain on the island. A buffer zone patrolled by the U.N. Peacekeeping Force in Cyprus (UNFICYP) separated the two parts. In February, Tassos Papadopoulos was elected President. Rauf Denktash is "President" of the "TRNC." On December 14, Turkish Cypriot "parliamentary" elections resulted in an even split of seats between parties favoring a solution to the division of the island and parties favoring the status quo. The judiciary is generally independent in both communities.

Police in the government-controlled area and the Turkish Cypriot community are responsible for law enforcement. Police in the government-controlled area were under civilian control, while the Turkish Cypriot police were under military authority. Some members of the police on both sides committed abuses.

Both Cypriot economies operated on free market principles, although there were significant administrative controls in each community. Approximately 802,500 persons lived on the island. The government-controlled area had a robust, service-oriented economy (including tourism) with a declining manufacturing base and a small agricultural sector. For the year, inflation was estimated at 4.3 percent and economic growth at 2.0 percent. The Turkish Cypriot economy was handicapped by restrictions imposed by the Government and by international institutions and relied heavily on subsidies from Turkey. It was basically service-oriented, with a smaller tourism and trade base but a larger agricultural sector than the government-controlled area. For the year, inflation was estimated at 12.6 percent and economic growth at 5.4 percent.

The Government generally respected the human rights of its citizens; however, there were problems in some areas. Police brutality against detainees continued to be a problem. The Government placed some restrictions on persons traveling to the north. Violence against women persisted. Trafficking in women for prostitution remained a problem.

Turkish Cypriot authorities generally respected the human rights of citizens living under its control; however, there were problems in some areas. Police reportedly abused some suspects and detainees. Civilians continued to be tried in military courts. The authorities reportedly subjected members of the Greek Cypriot community living in the north to surveillance. The authorities filed criminal charges against journalists for their reporting. The police interfered with some demonstrations. For part of the year, Turkish Cypriot authorities restricted freedom of movement to government-controlled areas and prohibited most contacts between Turkish Cypriots and Greek Cypriots. On April 23, Turkish Cypriot authorities relaxed many restrictions on movement between the two communities, including abolishing all crossing fees; the new procedures led to relatively unimpeded contact between the communities. Cooperation between Turkish Cypriot authorities and the U.N. High Commissioner for Refugees (UNHCR) was uneven. Turkish Cypriot authorities took some steps to improve the conditions of Greek Cypriots and Maronites living in the territory under their control, but these groups remained subject to discriminatory treatment. Violence against women and trafficking in women for prostitution were problems.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

In August, the European Court for Human Rights (ECHR) sent a delegation to the Turkish Cypriot community to take depositions for an investigation into the 1996 murder of Kutlu Adali, a prominent leftist Turkish Cypriot journalist who wrote articles critical of Turkey's role in the north. Turkish Cypriot authorities had not conducted a credible investigation of the case.

b. Disappearance

There were no reports of politically motivated disappearances during the year.

The U.N., through the autonomous tripartite (U.N., Greek Cypriot, Turkish Cypriot) Committee on Missing Persons in Cyprus (CMP), continued its attempts to resolve the problem of missing persons who remained unaccounted for after the intercommunal violence beginning in 1963-64 and the events beginning in July 1974. The CMP made little progress, due primarily to Turkish Cypriot reluctance to proceed without first fully accounting for those who may have been killed in internal Greek Cypriot fighting in 1974, prior to the landing of Turkish forces on the island.

The Government continued to exhume sites in the south thought to contain the remains of persons missing since 1974. In December 2002, the Government conducted exploratory digging at a mass grave site in Alaminos village (Larnaca district) containing 14 Turkish Cypriots whose names are on the list of Turkish Cypriot missing. During the year, no remains of Greek Cypriots were identified through DNA testing. As of the previous year, a total of 127 remains had been identified. According to the Government, 1,493 Greek Cypriots remained missing. Turkish Cypriot authorities did not cooperate in the DNA identification effort. On June 5, the Government released to relatives information concerning the fate of Turkish Cypriots who were reported missing between 1963 and 1974. In June, the Government placed announcements in the Turkish Cypriot press informing Turkish Cypriots of this move. The announcements called on Turkish Cypriots to give blood samples to aid in identifying remains.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution of the Republic of Cyprus and law of the government-controlled area and the basic law governing the area under Turkish Cypriot administration prohibit torture, and the Government and Turkish Cypriot authorities generally respected these provisions in practice; however, there were reports that police in both areas abused detainees.

On January 15, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) released a report on its 2000 visit to the government-controlled area of Cyprus that noted that the level of treatment of persons detained by police there had not been maintained since its 1996 visit. The report stated that the CPT received many allegations of physical ill-treatment of detainees by police officers, including kicks and punches to the body and head, banging heads against a wall, blows with truncheons or wood bats, placing a pistol to the head and issuing death threats, and applying electric shocks to the body. The CPT noted that the severity of the alleged treatment was such that it could be qualified as torture. The report concluded that the physical ill-treatment by police remained a serious problem.

There continued to be reports that police in the government-controlled area engaged in heavy-handed tactics and degrading treatment of suspects. In November, the office of the Ombudsman released its 2002 annual report that included citizens' complaints of ill-treatment by police. During the year, two new cases of police brutality were brought before the courts and hearings were scheduled for the beginning of 2004. The press carried additional reports of police brutality.

In August, a 39-year-old man and his 17-year-old son filed charges against 11 policemen in Limassol for allegedly chasing and beating the 17-year-old, who was driving without a driver's license, outside his house. Police also allegedly beat his father. A hospital treated the boy for injuries, including bruises and abrasions, and put his wrist in a cast due to injuries he allegedly sustained when police handcuffed him. The case remained pending at year's end.

Also in August, four youths claimed that police beat them late one night in Nicosia. According to a press report, one youth was taken to a hospital with a serious head injury. The police claimed that, when they responded to a reported fight, the subjects tried to run away, and one fell and hit his head. The State pathologist confirmed the police claim, but an independent pathologist maintained that the head injury was not consistent with damage from a fall. That pathologist also disputed the official findings regarding the extent of the injuries of the other subjects and claimed that one nearly died from exposure to tear gas.

Turkish Cypriot police prevented demonstrations during the year (see Section 2.b.).

There were credible reports of police abuse of power and harsh treatment of some detainees in the Turkish Cypriot community. There were reports that police used physical abuse and the threat of physical abuse to pressure some suspects into signing written testimonies or confessions before they consulted legal counsel.

Prison conditions in both areas of the country generally met international standards, although there were some problems. In its January 15 report, the CPT reported that prison overcrowding continued to be a problem in the government-controlled area. In its annual report, the government Ombudsman noted that there had been improvements in prison conditions, but cited overcrowding as an ongoing problem. During the year, the Ombudsman reported some improvements in the medical care of prisoners with psychiatric problems, including daily visits by a social worker, psychiatrist, psychologist, doctor, and two nurses. However, the Ombudsman received additional complaints and reopened her investigation. Women prisoners were held separately from men, juveniles were held separately from adults, and pretrial detainees were held separately from convicted criminals.

In the area under Turkish Cypriot administration, women were held separately from men; however, there were no separate cells for juveniles in prison. Pretrial detainees were held separately from convicted criminals.

During the year, the Government permitted prison visits by independent human rights observers. During his June 26-28 visit to the country, the Council of Europe's (COE) Commissioner for Human Rights visited prisons in the government-controlled area. The Commissioner said that prison conditions were good with the exception of overcrowding. The Commissioner also expressed concern over the practice of criminalizing illegal entry or residence in the country and the jailing of debtors. Turkish Cypriot authorities permitted prison visits by independent human rights observers, although no such visits occurred during the year.

d. Arbitrary Arrest, Detention, or Exile

Laws in both communities prohibit arbitrary arrest and detention; however, Turkish Cypriot police at times did not observe legal protections.

In the government-controlled area, the police are the responsibility of the Ministry of Justice and Public Order. The President appointed the Chief of the Police. The police force is divided into headquarters (with six departments), six district divisions (including one inactive district located in the area under the Turkish Cypriot administration), and seven police units that provided specialized services. Although there were individual cases of misconduct reported during the year within the police force, there were no serious cases of police corruption or bribery. The Assistant Chief of Police for Administration typically handled investigations into such cases and recommended appropriate disciplinary measures to the Chief of Police.

In the Turkish Cypriot community, the Chief of Police reports to the Turkish Cypriot general holding the "security portfolio," and the general is under the supervision of the "prime ministry." The police are divided into eight functional divisions and five geographic divisions. While there were no serious corruption or bribery cases within the police, there were individual cases of appropriation, and officers were punished and discharged from the force. The office of the "Attorney General" worked in conjunction with an officer from the Inspection Division (or occasionally the Criminal Investigative Division) to conduct investigations into allegations of police misconduct. During the year, no investigations resulted in the prosecution of officers for the abuse of detainees.

Throughout Cyprus, judicially issued arrest warrants were required. No person may be detained for more than 1 day without referral of the case to the courts for extension of the period of detention. Most periods of investigative detention did not exceed 8 to 10 days before formal charges were filed. Attorneys generally had access to detainees; bail was permitted. The Government claimed the right to deport foreign nationals for reasons of public interest whether or not they had been charged with or convicted of a crime.

On November 3 and 4, Turkish Cypriot authorities filed criminal charges against five journalists for "insulting the army" in reporting on the March 25 demonstration in Doganci (see Section 2.a.)

On March 25, Turkish Cypriot police arrested five persons in the village of Doganci on charges of organizing an illegal demonstration that threatened the Turkish Cypriot Administration (see Section 2.b.).

Turkish Cypriot police at times did not observe legal protections, particularly at the time of arrest. In some instances, suspects were not permitted to have their lawyers present when testimony was taken, in contravention

of Turkish Cypriot basic law. Suspects who demanded the presence of a lawyer might be threatened with stiffer charges or physically intimidated. A high percentage of cases in the Turkish Cypriot community were closed based on confessions or written testimonies taken during initial police interrogation under these conditions. Such cases generally did not reach the courts.

There were no developments in the 2001 ECHR case brought by Greek Cypriot Panicos Tziakourmas.

The Constitution and the basic law governing the Turkish Cypriot community prohibit forced exile, and neither the Government nor the Turkish Cypriot authorities employed it.

e. Denial of Fair Public Trial

The Constitution and the basic law governing the Turkish Cypriot community provide for an independent judiciary, and both the Government and the Turkish Cypriot authorities generally respected these provisions in practice.

In both the government-controlled and the Turkish Cypriot areas, most criminal and civil cases begin in district courts, from which appeals are made to Supreme Courts. There were no special courts for security or political offenses, although civilians in the Turkish Cypriot community may be tried in military courts.

The law in both communities provides for the presumption of innocence, the right to due process, and the right of appeal.

The law in both communities provides for the right to a fair public trial, and an independent judiciary generally enforced this right in both. Defendants have the right to be present at their trials, to be represented by counsel (at public expense for those who cannot afford one), to confront witnesses, and to present evidence in their defense.

In the area under Turkish Cypriot administration, civilians charged with violating military zones or military regulations or defaming the military were subject to trial in a military court. These courts consisted of three civilian judges and a civilian prosecutor.

There were no reports of political prisoners in either community.

On December 1, Turkey agreed to compensate Titina Loizidou approximately \$1.4 million (1.12 million euros) for her loss of use of her property seized after the 1974 Turkish intervention. In 1998, the ECHR reaffirmed the validity of property deeds issued prior to 1974 and ordered Turkey to provide restitution and compensation to Loizidou for the loss of use of her property in the area under Turkish Cypriot administration. In December, the COE issued a resolution postponing further action on the case to an unspecified date.

In July, the ECHR ruled against Turkey on two additional, comparable cases. The Government estimated that Cypriots had filed approximately 500 cases against Turkey at the ECHR. By year's end, the ECHR had not reached a decision on any of the approximately 46 similar cases in which the Government had exercised its right to intervene.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Both the Constitution and the basic law governing the Turkish Cypriot community prohibit such actions. There were reports that Turkish Cypriot police subjected Greek Cypriots and Maronites living in the north to surveillance (see Section 5).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Laws in both communities provide for freedom of speech and of the press, and the Government and Turkish Cypriot authorities generally respected these rights in practice; however, Turkish Cypriot authorities filed criminal charges against a number of journalists for their reporting.

Opposition newspapers frequently criticized the authorities. Independent newspapers and periodicals proliferated in both communities. In the government-controlled area, there were seven major daily newspapers, one weekly,

and six major magazines. Several private television and radio stations in the Greek Cypriot community competed effectively with government-controlled stations.

In the Turkish Cypriot community, there were 12 newspapers. There were two television channels operated by Turkish Cypriot authorities and four private television channels. In addition to three small, university-run radio stations, eight private radio stations operated in the Turkish Cypriot community, along with three radio stations run by the authorities, and a radio station run by the Turkish Cypriot security forces.

International broadcasts were available without interference throughout the island, including telecasts from Turkey and Greece.

In September and November, the extreme nationalist newspaper Volkan published two articles that included threatening language against journalists at the opposition newspaper Afrika. One article contained a death threat against Afrika editor Sener Levent. The author of one article belonged to the National People's Movement, the other to the ultra-nationalist Grey Wolves Association. At year's end, none of the threats had been carried out.

On October 17, Murat Kanatli, a journalist from the Turkish Cypriot opposition newspaper Yenicag, covered a demonstration by the Grey Wolves Association. Kanatli claimed that up to 30 members of the Grey Wolves attacked him, beat him, and stole his camera when he went to the Association's headquarters to take a photo of the group's leader. Opposition newspaper Kibris reported that Kanatli entered the Association's headquarters without permission. There was no independent corroboration of a physical attack on Kanatli. Turkish Cypriot police later recovered his camera from the Grey Wolves. No arrests had been made related to this incident by year's end.

On November 3 and 4, Turkish Cypriot authorities filed criminal charges against five journalists with the daily newspapers Kibris and Ortam for "insulting the army" in their reports about police actions against demonstrators in the village of Doganci on March 25. The journalists faced possible prison sentences of 10 to 44 years. Authorities had not scheduled a trial by year's end.

At year's end, the October 2002 charges of libel and defamation filed against several journalists from the opposition newspaper Afrika remained pending in Turkish Cypriot district and military courts.

Government and Turkish Cypriot authorities at times imposed restrictions on the ability of journalists to cross the buffer zone to cover news events. The Government denied entry to all visitors, including Turkish journalists who arrived on the island through ports of entry in the area under Turkish Cypriot administration. Prior to April 23, Turkish Cypriot authorities, at times, required Greek Cypriot journalists to purchase a "visa" for entry. However, after April 23, Turkish Cypriot authorities dropped the requirement but still required Greek Cypriot journalists covering certain events to wear identification bearing the flag of the self-proclaimed "TRNC." Greek Cypriot journalists chose not to travel north to cover these events. The Turkish Cypriot "Press Information Office's" ("PIO") policy was to provide "PIO" escorts for Greek Cypriot journalists covering events in the north during business hours and to provide escorts for groups of Greek Cypriot journalists and for journalists covering important meetings regardless of the time of day. This policy was not strictly enforced, and Greek Cypriot journalists reported that they were permitted to cover some events in the north without a "PIO" escort.

At year's end, criminal charges remained pending against a Turkish Cypriot teacher, who was suspended for publishing an article critical of Turkey and its military in an opposition newspaper in 2001, and against a trade union that protested on her behalf. The charges were for defamation and trespassing, respectively.

Neither the Government nor Turkish Cypriot authorities restricted access to the Internet, although some users reported difficulties in sending e-mail between service providers in the two communities.

Neither the Government nor Turkish Cypriot authorities restricted academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the Government generally respected these rights in practice.

The basic law governing the Turkish Cypriot community provides for freedom of assembly and association; however, police blocked or dispersed demonstrations on several occasions.

On March 25, an estimated 150-200 Turkish Cypriot police with truncheons disbanded a demonstration in the village of Doganci and arrested the organizers when they produced a ballot box for a symbolic referendum on the proposed "Annan Plan" to end the island's division. They were charged with organizing an illegal demonstration that threatened the Turkish Cypriot administration. The charges against demonstration organizers remained pending at year's end.

On April 5, Turkish Cypriot police reportedly prevented the group YBH Youth from holding a small demonstration at the Turkish Embassy in Nicosia, although the group claimed it had obtained a permit for the gathering. Demonstration organizers claimed that police beat several demonstrators and sexually harassed female demonstrators.

On February 20, the ECHR found that Turkey had violated one Turkish Cypriot's right to freedom of peaceful assembly by denying him permission to attend bicomunal events in the government-controlled areas and in the buffer zone and ruled that Turkey should pay approximately \$18,800 (15,000 euros) in mental damages and approximately \$5,900 (4,715 euros) for expenses incurred.

For part of the year, Turkish Cypriot authorities sometimes denied Turkish Cypriots the ability to participate in bicomunal meetings in the U.N.-controlled buffer zone. Following the relaxation of crossing restrictions on April 23, Turkish Cypriot authorities allowed Turkish Cypriots to participate in bicomunal events in and across the buffer zone without difficulty.

Turkish Cypriot authorities also attempted to interfere with some bicomunal events taking place outside Cyprus by requiring civil servants to seek permission from their employer and the Turkish Cypriot "Ministry of Foreign Affairs" before they could participate. Enforcement of the policy was inconsistent, with some officials permitted to attend off-island bicomunal events.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice. The basic law governing the Turkish Cypriot community refers specifically to a "secular republic" and also provides for freedom of religion, and the Turkish Cypriot authorities generally respected this right in practice. Both the Government and the Turkish Cypriot administration have constitutional or legal prohibitions against religious discrimination. Turkish Cypriots residing in the southern part of the island and non-Muslims living in the north were allowed to practice their religions.

The Constitution specifies that the Greek Orthodox Church, which was not under the authority of the mainland Greek Orthodox Church, has the exclusive right to regulate and administer its internal affairs and property in accordance with its holy canons and charter. The Constitution also states that the Turkish Cypriot religious trust, the Vakf (the Muslim institution that regulates religious activity for Turkish Cypriots), has the exclusive right to regulate and administer its internal affairs and property in accordance with Vakf laws and principles. No legislative, executive, or other act may contravene or interfere with the Orthodox Church or the Vakf. The Armenian Orthodox Church, Maronite Christians, and Latins (Roman Catholics) are also recognized by the Constitution.

Religions other than the five recognized religions were not required to register with government authorities; however, if they desired to engage in financial transactions such as maintaining a bank account, they had to register as a nonprofit company, and most did so.

Between 1997 and 2000, the Government and the Turkish Cypriot authorities agreed to allow reciprocal visits in which groups of Greek Cypriots visited Apostolos Andreas monastery in the north and groups of Turkish Cypriots visited Hala Sultan Tekke mosque in the south on certain religious holidays. Following developments in April that facilitated crossings, Greek Cypriots reported relatively easy access to Apostolos Andreas monastery and other religious sites in the north, while Turkish Cypriots visited religious sites, including Hala Sultan Tekke in the government-controlled area. There were reports that slow processing at buffer zone checkpoints limited the number of people who crossed the zone to visit religious sites during the holidays.

Greek Cypriots and Maronites were still prohibited from visiting religious sites located in military zones in the Turkish Cypriot community.

In May, the Bishop of Morphou (now resident in the Government-controlled area) visited a church building (now used as a religious museum) in his traditional seat located in the area under Turkish Cypriot administration. During his visit, he conducted a private religious service. On a return visit, the Bishop, accompanied by Greek Cypriot

journalists with television cameras, attempted to perform a religious service but was prevented by Turkish Cypriot authorities. The officials said that "government" regulations only permitted church services in designated religious facilities and that only priests resident in the north were permitted to conduct such services. Otherwise, a special permit was required.

In February, the Turkish Cypriot administration returned two houses of worship that it had expropriated in 1997 to the Jehovah's Witnesses. In August 2002, Turkish Cypriot authorities lifted a ban prohibiting several ministers of Jehovah's Witnesses, deported in 1997, from reentering north Cyprus.

Missionaries had the legal right to proselytize in both communities, but the Government and Turkish Cypriot authorities closely monitored missionary activities. It is illegal for a missionary to use "physical or moral compulsion" to make religious conversions. The police may investigate missionary activity based on a citizen's complaint. They could also open an investigation if missionaries might be involved in illegal activities threatening the security of the Republic, constitutional or public order, or public health and morals. There were occasional apprehensions but no arrests under these laws.

The Government required children in public primary and secondary schools to take instruction in the Greek Orthodox religion. Parents of other religions may request that their children be excused from such instruction. While these children were exempted from attending religious services, some Jehovah's Witnesses parents reported that their children were not excused from all religious instruction.

Greek Cypriots living in the north reported that vacant Orthodox churches were vandalized and religious icons were removed. Although Turkish Cypriots reported that unused mosques in the south also were vandalized, the Government routinely carried out maintenance and repair of mosques in the area under its administration. During the year, the Government restored a mosque in the southern town of Limassol at the request of Turkish Cypriot residents.

Members of Jehovah's Witnesses reported some difficulties in claiming conscientious objector status and exemption from compulsory reserve military service in the National Guard. While the law provides for exemption from active military service for conscientious objectors, it does not provide for an exemption from reserve duty. Legal proceedings were begun in 2002 against several members of Jehovah's Witnesses for failure to appear for reserve duty. Their cases were suspended in November 2002 pending a revision of the law.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Both the Constitution and the basic law governing the Turkish Cypriot community provide for these rights, and they were generally respected in practice. Both the Government and Turkish Cypriot authorities generally respected the right to travel abroad and to emigrate.

Government authorities discouraged travel to Turkish Cypriot areas. The Government did not legally restrict Greek Cypriots from traveling to the northern part of the island, but generally discouraged them from staying at former Greek Cypriot-owned properties or gambling there. The Government permitted foreigners only to take day trips and sometimes arbitrarily refused non-Cypriots permission to cross the buffer zone. The Government deported two groups of Israeli tourists on the suspicion that they planned to stay overnight and gamble at facilities in the north. It remained illegal to enter Cyprus except at authorized entry points in the south, effectively barring entry into the government-controlled area by foreigners who arrived through entry points in the north.

On July 5, a foreign citizen of Turkish Cypriot origin and her two children were refused entry at Larnaca Airport despite having a valid visa issued by the country's embassy in Beirut. The woman and her children were detained at the airport for 24 hours before being sent back to Lebanon. An investigation ordered by the Council of Ministers found two immigration officials responsible. There has been no public announcement of disciplinary measures taken against these officials.

On October 20, Greek Cypriot police arrested four foreign students studying in the north when they went to the Ledra Palace checkpoint and asked if they were allowed to cross to the government-controlled area. The four were held in prison for 10 days, fined a total of approximately \$3,700 (1,900 Cyprus pounds), and deported back to their countries of origin.

In November, a foreign citizen of Turkish Cypriot origin was stopped by immigration officials at the Larnaca airport and questioned about the purpose of his visit. He later wrote to an English language newspaper complaining of his treatment. In a story on the incident, the newspaper quoted an immigration officer at the airport as saying that it was standard procedure to single out Turkish Cypriots for questions about their visit. The Government denied such a policy existed.

Greek Cypriots had to obtain a Turkish Cypriot "visa" to visit the north, although this was relatively easy after April 23. Greek Cypriots were required to present their passports at the checkpoints along the buffer zone, something many were reluctant to do. Greek Cypriots were also permitted to drive their personal vehicles in the north, provided they arranged insurance with a provider in the Turkish Cypriot community. They were allowed to stay up to 3 nights in the north as long as they stayed in a hotel and provided receipts. Prior to April 23, individuals with Greek or Armenian surnames faced considerable difficulties entering the Turkish Cypriot community, and foreigners of Turkish Cypriot origin who had arrived on the island through ports in the south also were refused entry.

Turkish Cypriot authorities maintained restrictions on the 403 Greek Cypriots and 140 Maronites living in enclaves in the Turkish Cypriot community. Until April 23, Turkish Cypriot authorities limited the duration of visits to the south by the Greek Cypriots and Maronites to a total of 6 months per year; those who remained longer risked losing their right to return home and to keep their property. Authorities also required enclaved Greek Cypriots and Maronites resident in the north to obtain advance permission to visit the government-controlled area and their relatives had to obtain similar permission to visit the enclaves. On April 23, Turkish Cypriot authorities discontinued both the 6-month rule, which had been rarely enforced in practice, and the requirement that enclaved Greek Cypriots obtain advance permission to visit the south.

During the year, Turkish Cypriot authorities limited overnight stays by child relatives of enclaved Greek Cypriots and Maronites to a "reasonable period" (as determined by Turkish Cypriot authorities), with extensions possible. Turkish Cypriot authorities permitted school holiday and weekend visits for all full-time Greek Cypriot and Maronite students, regardless of age and gender, who moved south to continue their studies. Immediate relatives of enclaved Greek Cypriots were exempted from the requirement that they stay at a hotel and instead could stay with their relatives.

On April 23, freedom of movement within the country improved significantly when Turkish Cypriot authorities relaxed many crossing restrictions and abolished both the \$2.15 (1 Cyprus pound) crossing fee and the requirement of advance permission. By year's end, there had been almost 2.5 million crossings of the buffer zone in both directions. Two additional checkpoints were opened to facilitate the flow of personal vehicles across the buffer zone.

On April 30, the Government announced a "set of measures" designed to facilitate Turkish Cypriot movement to and within government controlled areas and access to Government services. However, by year's end, the Government had not implemented key aspects of the measures.

Since April 23, Turkish Cypriots traveling to the south have not needed prior permission from Turkish Cypriot authorities nor have they had to provide an itinerary and the purpose of their travel. Similarly, Greek Cypriot checkpoint police have not required Turkish Cypriots to give advance notice of their intent to travel or their planned itinerary and return date, but they must still prove they are Turkish Cypriots. Checkpoint police prevent foreigners who entered Cyprus through unauthorized ports of entry in the north from crossing into the government-controlled area. The Government did not limit the length of their stay in the south, although most did not stay overnight. Turkish Cypriots could drive their personal vehicles, provided they had arranged insurance with a provider in the Greek Cypriot community. As part of the "set of measures" announced in April, the Government offered Turkish Cypriots free bus service from checkpoints to various parts of the government-controlled area. By the end of the year, Turkish Cypriots had taken more than 100,000 trips using this bus service.

Until April 23, Turkish Cypriot authorities restricted the ability of persons resident in the north to travel to bicomunal events (see Section 2.b.).

Following the April relaxation of crossing restrictions, Greek Cypriots could visit the Apostolos Andreas monastery in the north and Turkish Cypriots could visit Hala Sultan Tekke mosque and a nonreligious monument in Kokkina in the south (see Section 2.c.).

Turkish and Turkish Cypriot forces continued to operate a checkpoint adjacent to the Greek Cypriot village of Strovilia and the British eastern Sovereign Base Area that restricted UNFICYP movement. After April 23, Turkish

Cypriot authorities began using a Greek Cypriot house as a control post for a newly established crossing point in Strovilia. UNFICYP protested the unauthorized takeover of private property. At year's end, Turkish Cypriot authorities continued to use the property.

Turkish Cypriots had difficulty traveling to most countries because travel documents issued by the "TRNC" were recognized only by Turkey, and most Turkish Cypriots used Turkish travel documents instead. Since April 23, when Turkish Cypriot authorities eased restrictions on individuals crossing between the two communities, Turkish Cypriots increasingly obtained passports from the Government. The Government issued 9,681 passports to Turkish Cypriots after April 23.

In the government-controlled area, the law provides for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 protocol. In practice, the Government provided protection against refoulement and granted asylum but did not grant refugee status to any applicant during the year.

Cyprus continued to attract a growing number of asylum seekers, many of whom arrived through legal ports of entry while others arrived in small boats. Many claimed to be from the Middle East, including Iraq. These cases were referred to the Government's asylum unit. During the year, the unit received 4,036 applications (corresponding to 4,411 individuals) for asylum and processed approximately 800 cases. At year's end, there were 3,860 pending cases, including some from the previous year. At year's end, 10 cases were under consideration for humanitarian reasons. If given refugee status, the applicant was granted a 3-year residence permit renewable for an additional 3 years. If applicants met the criteria for refugee status, they were permitted to stay and were given temporary work permits. However, refugees generally were not granted permanent resettlement rights, although they were permitted to remain until resettlement in another country could be arranged. The law provides for temporary protection for those persons who do not meet the definition of a refugee or asylee. In December, the Government opened a 120-bed detention facility to house arriving migrants until their cases are evaluated.

The Government generally cooperated with the office of the UNHCR. Until January 2002, the UNCHR handled all asylum cases and the Government considered its decisions binding. Although no new cases were directed to the UNHCR during the year, there was a backlog of approximately 150 cases (corresponding to 229 individuals) still pending before the UNHCR at year's end.

The "TRNC" is not a signatory to any international conventions on asylum. Individuals who requested asylum in the Turkish Cypriot community were directed to the UNHCR; however, there were reports that not all individuals who wished to seek asylum were permitted to do so.

The basic law governing the Turkish Cypriot community does not provide for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 protocol. Turkish Cypriot authorities have not established a system for providing protection to refugees and did not provide protection against refoulement. In the past, Turkish Cypriot authorities have granted refugee status to asylum seekers in a few cases.

In the north, cooperation between the Turkish Cypriot authorities and the UNHCR was uneven. During the year, working with the assistance of a local nongovernmental organization (NGO), the UNHCR continued examination of the asylum claims of 11 persons who entered the north in accordance with official procedures. Their case remained pending at year's end. Turkish Cypriot authorities did not provide protection against refoulement, and 101 illegal immigrants who arrived in the north without proper documentation were arrested and subsequently deported to their countries of origin without the opportunity to apply for asylum through the UNHCR.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. Reform of the country's political and economic structure led to an invitation in 2002 to join the European Union (EU) in May 2004.

The basic law provides Turkish Cypriots living in the north with the right to change their government peacefully, and they exercised this right in practice through periodic, democratic elections held on the basis of universal suffrage.

In the government-controlled area, presidential elections are held every 5 years. In February, President Tassos Papadopoulos was elected to a 5-year term. Elections for members of the House of Representatives are held every 5 years or less. Elections were last contested in 2001.

Turkish Cypriots choose a leader and a representative body every 5 years or less. On December 14, Turkish Cypriot "parliamentary" elections resulted in an even 25-25 split of seats in the "National Assembly" between parties favoring a solution to the division of the island based on the Annan plan and parties favoring the status quo. There were numerous reports that the parties in power misused "government" resources in support of their campaigns. They reportedly distributed "government" jobs to supporters, exerted control over the "state-run" media, used monetary incentives to pressure settlers to vote for the status quo, and engaged in other similar activities. Opposition parties complained but the courts took no action. In 2000, Rauf Denktaş was named Turkish Cypriot "President" after his opponent withdrew between the first and second rounds of voting. Political parties in both communities competed for popular support actively and without restriction.

Under the Constitution, voting takes place on a communal basis. Due to the de facto partition of the island, Turkish Cypriots living in the government-controlled area were barred from voting there, although they may travel to the north to vote in elections. Similarly, Greek Cypriots and Maronites living in the north are barred by law from participating in Turkish Cypriot elections; they are eligible to vote in Greek Cypriot elections but must travel to the south to exercise that right. Officials in the north representing Greek Cypriots and Maronites are appointed by the Government and are not recognized by Turkish Cypriot authorities.

In both communities, women faced no legal obstacles to participating in the political process and some held cabinet-level, judicial, and other senior positions. Women held 6 seats in the 56-seat House of Representatives; in the north, women held 3 seats in the 50-seat "National Assembly."

In addition to their political voting rights, the small Maronite, Armenian, and Latin (Roman Catholic) communities also elected special nonvoting representatives from their respective communities who sat in the House of Representatives.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international independent human rights groups generally operated in both communities without government or Turkish Cypriot authorities' restriction, investigating and publishing their findings on human rights cases. Government and Turkish Cypriot officials generally were cooperative and responsive to their views.

A number of NGOs in both areas of the island considered themselves human rights groups; however, they generally were concerned with alleged violations of the rights of their community's members by members of the other community. Groups with a broader human rights-related mission included organizations promoting awareness of domestic violence, and those concerned with allegations of police brutality. Representatives of international human rights organizations had access throughout the island and generally operated without restriction.

The U.N., through the autonomous tripartite CMP, continued its attempts to resolve the problem of missing persons who remained unaccounted for after the intercommunal violence beginning in 1963-64 and the events beginning July 1974 (see Section 1.b.).

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

Laws in both communities provide for protection against discrimination based on sex or national, racial, or ethnic origin. While each community generally respected such laws, serious problems remained concerning the treatment of the Greek Cypriots and Maronites living in the north and, to a lesser extent, concerning the treatment of Turkish Cypriots living in the government-controlled area.

Women

Spousal abuse in the government-controlled area was a problem and continued to receive attention. An NGO working with domestic abuse victims reported that, during the year, the number of telephone calls to its hotline had increased 15.8 percent. Women constituted 86 percent of the reported victims. A small professional staff ran the NGO and relied on a volunteer staff to answer calls received by its hot line. The NGO also operated a shelter for battered women and children in Nicosia, which served 25 women and 18 children during the year.

The law establishes clear mechanisms to report and prosecute family violence and provides that the testimony of minors and experts such as psychologists may be used as evidence to prosecute abuses. The law also provides

for prison terms for the abuse of family members. Doctors, hospital workers, and education professionals are required to report all suspected cases of domestic violence to the police. Many victims refused to testify in court. Under the law, spouses cannot be compelled to testify against each other. In cases where a spouse was the victim and the only witness and she refused to testify, the courts were forced to drop the case. Very few cases tried in the courts resulted in convictions.

Domestic violence in the Turkish Cypriot community was reportedly a problem, but there was little discussion of it in public. Domestic violence cases were rare in the Turkish Cypriot legal system, since they were typically considered a family matter. "Honor" crimes, in which women were victimized or killed by relatives for acts that allegedly dishonored the family, have not occurred for many years in either the government-controlled area or in the Turkish Cypriot community. No "honor" crime-related deaths or injuries were reported on the island during the year.

In the government-controlled area, the law does not prohibit "voluntary" prostitution; however, sexual exploitation and trafficking of adults and children is a felony. It is illegal to live off the profits of prostitution and to procure women for prostitution. There were credible reports that women continued to be trafficked for sexual exploitation in both communities (see Section 6.f.).

In December 2002, the Government enacted a law against sexual harassment in the workplace. In the Turkish Cypriot community, the basic law contains no provision specific to sexual harassment, however victims could pursue such cases under other sections of the criminal code. Sexual harassment was not discussed widely in either community, and any such incidents largely were unreported. Throughout the island, women generally have the same legal status as men. Both Greek and Turkish Cypriot women married to foreigners have the right to transmit citizenship automatically to their children.

Turkish Cypriot law on marriage and divorce provides for relatively equal treatment of husbands and wives. A wife may retain her surname but must also add the husband's surname. In cases of divorce, the court decides on a fair distribution of the family's assets, with each partner assured a minimum of 30 percent. In dividing assets, the judge must take into account which partner is receiving custody of the children and provide sufficient means to support them.

Laws in both the government-controlled area and the Turkish Cypriot community that require equal pay for men and women performing the same work were enforced effectively at the white collar level. However, Turkish Cypriot women in the north working in the agricultural and textile sectors were routinely paid less than their male counterparts.

Children

Both government and Turkish Cypriot authorities were strongly committed to children's rights and welfare; they funded public education and health care for those who cannot afford it. There was no difference in the health care and educational opportunities available to boys and girls. In the government-controlled areas, free education was available at all levels through the age of 18. Education was compulsory up to the age of 15 or 9 years of education. In the Turkish Cypriot community, education through the age of 15 was free and compulsory. In the government-controlled area, approximately 85 percent of the population was eligible to receive free public health care. In the Turkish Cypriot community, publicly funded health care was available to the entire population, however, patients faced long waits for services in "government" medical facilities.

Despite improvements in living conditions for Greek Cypriots and Maronites, there were no Greek-language educational facilities beyond the elementary level in the north. For this reason, parents often were forced to choose between keeping their children with them or sending them to the south for further education. In the latter case, Turkish Cypriot authorities did not permit children to return to live permanently in the north. If the families of these children moved south with them, the entire family was not permitted to return to live permanently in the north. In September, the Turkish Cypriot administration refused a request to open a secondary school for Greek Cypriots in the north and delayed approval for two new Greek Cypriot teachers for the elementary school, forcing a 3-day delay in the start of the school year.

Turkish Cypriot authorities screened all textbooks sent from the south to Greek Cypriot elementary schools in the north, which caused lengthy delays in their distribution and shortages of up-to-date textbooks. The Government reported that Turkish Cypriot authorities removed pages from textbooks sent from the south that included material the Turkish Cypriots considered inflammatory and derogative of their community. Turkish Cypriot textbooks included similarly inflammatory material derogative of Greek Cypriots.

There were some reports of child abuse in the government-controlled area. The Government prosecuted all cases of reported child abuse. In the government-controlled area there were reports that the Ministry of Labor's Welfare Department was understaffed and unable to deal effectively with the problem. In 2000, the Ministry of Justice amended evidentiary laws to permit the use of video-taped testimony in family violence cases, including instances of alleged child abuse. During the year, one child abuse case was prosecuted using taped testimony; the case was pending at year's end. There were no reported cases of child abuse in the Turkish Cypriot community, although, as with domestic violence, there were social and cultural disincentives to seeking legal remedies for such problems.

Persons with Disabilities

Persons with disabilities did not generally face discrimination in education or the provision of state services. In March, the Government Ombudsman called for additional facilities to provide support for children with behavioral and emotional problems. In the government-controlled area, persons with disabilities who apply for a public sector position are entitled to preference if they are deemed able to perform the required duties and if their qualifications are equal to those of other applicants. The law provides for equal opportunities for persons with disabilities, which includes regulations promoting equal opportunities in the areas of employment, transportation, and recreation. In the Turkish Cypriot community, regulations require businesses to employ 1 person with disabilities for every 25 positions they fill, although enforcement was inconsistent.

The law in the Greek Cypriot community mandates that new public buildings and tourist facilities be accessible to all, although little has been done to enforce the law. While there was increasing awareness of the problem of accessibility to public buildings for persons with disabilities, Turkish Cypriot authorities have not adopted laws mandating access to public buildings and other facilities for persons with disabilities.

National/Racial/Ethnic Minorities

Constitutional or other legal mechanisms prohibit discrimination in both communities. The 1975 Vienna III Agreement remains the legal source of authority regarding the treatment of Greek Cypriots and Maronites living in the north and Turkish Cypriots living in the south. The agreement provides for the voluntary transfer of populations, free and unhindered access by the UNFICYP to Greek Cypriots and Maronites living in the north and Turkish Cypriots living in the south, and facilities for education, medical care, and freedom of religion. In practice, noncompliance with some of the provisions of the Vienna III Agreement by Turkish Cypriot authorities made daily life difficult for Greek Cypriots and Maronites living in the north. At year's end, there were 403 Greek Cypriots and 140 Maronites resident in the north.

The Government reported that 1,317 Turkish Cypriots lived in the government-controlled area during the year. Some of the Turkish Cypriots living in the government-controlled area reportedly faced difficulties in obtaining identification cards and other government documents, particularly if they were born after 1974. There were no reports of Turkish Cypriots subjected to surveillance by the Greek Cypriot police during the year. Turkish Cypriots made few formal complaints to UNFICYP about their living conditions in the south. Complaints most often concerned the lack of affordable accommodation.

UNFICYP access to Greek Cypriots and Maronites living in the north remained limited. Despite improvements in living conditions for Greek Cypriots and Maronites, no Greek-language educational facilities for Greek Cypriot or Maronite children in the north exist beyond the elementary level (see Section 5). Although the Vienna III Agreement provides for medical care by a doctor from the Greek Cypriot community, only care provided by a Turkish Cypriot doctor registered with Turkish Cypriot authorities was permitted. Greek Cypriots and Maronites resident in the north were still unable to leave property to heirs residing in the south.

The Government and the Turkish Cypriot authorities continued to use textbooks at the primary and secondary school level that included inflammatory language derogatory of the other community. This was a particularly serious concern with history textbooks, and authorities in both communities have complained about the textbooks in the other community.

Section 6 Worker Rights

a. The Right of Association

All workers except for members of the police and military forces have the legal right to form and join trade unions of their own choosing without prior authorization, and workers did so in practice. In the government-controlled area, police officers were permitted only to join associations that have the right to bargain collectively but not to go on

strike. More than 70 percent of the Greek Cypriot workforce belonged to independent trade unions. Approximately 50 to 60 percent of Turkish Cypriot private sector workers, and all public sector workers, belonged to labor unions.

In the Turkish Cypriot community, union officials alleged that various firms were successful in establishing "company" organizations and then pressing workers to join these unions. Officials of independent labor unions also accused Turkish Cypriot authorities of creating rival public sector unions to weaken the independent unions.

In both the government-controlled area and the Turkish Cypriot community, trade unions maintained their independence from the authorities. Two of the major trade unions, one in each community, were affiliated closely with political parties. Both of the other major unions were independent.

In the Turkish Cypriot community, there were press reports that, in the public sector, the "government" discriminated against members of pro-solution labor unions who participated in political activities, including demonstrations. In some cases, individuals were passed over for promotion or were reassigned to undesirable jobs or locations.

Anti-union discrimination is illegal in the government-controlled area. Anti-union discrimination is not illegal in the Turkish Cypriot community. Union leaders contended that private sector employers were able to discourage union activity because the enforcement of labor regulations was sporadic, and penalties for anti-union practices were minimal. As in the government-controlled area, parties to a dispute could request mediation by the authorities.

Unions in both communities affiliated with international trade union organizations, although Greek Cypriot unions sometimes objected to recognition of Turkish Cypriot unions formed after 1963.

b. The Right to Organize and Bargain Collectively

By law, trade unions and confederations are free to organize and bargain collectively throughout Cyprus. This right was generally observed in practice in the government-controlled areas, and most wages and benefits were set by freely negotiated collective agreements; however, Greek Cypriot collective bargaining agreements were not enforceable. In the rare instances in which persons claimed that such agreements were infringed upon, the Ministry of Labor was requested to investigate. If the Ministry was unable to resolve the dispute, the union could call a strike to support its demands.

In the Turkish Cypriot community, wage levels were reviewed several times a year for both private and public sector workers, and a corresponding cost-of-living raise established. A special commission composed of five representatives each from organized labor, employers, and the authorities conducted the review.

All workers have the right to strike; however, in the northern part of the island, employers have an unrestricted right to hire replacement workers in the event of a strike, thereby limiting the effectiveness of the right. In addition, authorities in both the government-controlled area and the Turkish Cypriot community have the power to curtail strikes in "essential services," although this power was used rarely in practice. There were no major strikes during the year. In October, truck drivers went on strike for 8 days demanding changes in the Government's plans to harmonize the law with EU regulations. The central dispute was over the Government's plan to issue commercial goods transport licenses (class "A") only to transport companies and not to individual truck drivers. The strike ended when the truck drivers accepted the Government's offer to discuss the issue. At year's end, the dispute remained unresolved and the truck drivers continued to threaten a repeat strike if their demands were not met.

There are export processing zones (EPZs) in the port of Larnaca and in Famagusta; the laws governing working conditions and actual practice in the EPZs are the same as outside the zones.

c. Prohibition of Forced or Bonded Labor

The Government and Turkish Cypriot authorities prohibit forced or bonded labor, including by children; however, there were reports that foreign maids and illegal foreign workers were subject to the nonpayment of wages and the threat of deportation (see Section 6.e.).

d. Status of Child Labor Practices and Minimum Age for Employment

In both the government-controlled area and the Turkish Cypriot community, the minimum age for employment in an "industrial undertaking" is 16 years of age. Turkish Cypriots may be employed in apprentice positions at the age of

15. The minimum age for employment is consistent with the age for completing education requirements in both communities. There were labor inspectors in both communities who enforced the law effectively. However, it was common in family-run shops for children to work after school and, according to press reports, children as young as age 11 worked in orchards during school holidays in the Turkish Cypriot community.

e. Acceptable Conditions of Work

The legislated minimum wage in the government-controlled area, which was reviewed every year, was approximately \$620 (320 Cyprus pounds) per month for shop assistants, practical nurses, clerks, hairdressers, and nursery assistants. The wage rose to \$660 (340 Cyprus pounds) after 6 months' employment. Neither amount was sufficient to provide a decent standard of living for a worker and family. All other occupations, including unskilled workers, were covered under collective bargaining agreements between trade unions and employers within the same economic sector, and the wages set in these agreements were significantly higher than the minimum wage. The minimum wage in the Turkish Cypriot community, while subject to frequent review because of high inflation, was approximately \$370 (500 million Turkish lira) per month at year's end. This amount was insufficient to provide a decent standard of living for a worker and family.

In the government-controlled area, the legal maximum workweek was 48 hours, including overtime. Actual working hours were determined through collective agreements between the unions and employers. In the private sector, the workweek was typically 39 hours for white-collar workers and 38 hours for blue-collar workers. In the public sector, the workweek was 38 hours during the winter and 35 hours in the summer. In the Turkish Cypriot community, the legal maximum workweek was 38 hours in the winter and 36 hours in the summer. Labor inspectors effectively enforced these laws.

In the government-controlled area, laws regulating health and safety standards comply fully with the 1981 International Labor Organization convention on occupational health and safety. The law also requires employers to provide insurance liability coverage for work-related injuries. Workers may remove themselves from dangerous work conditions without risking loss of employment. According to labor union officials, these laws were enforced effectively.

Turkish Cypriot authorities enforced occupational safety and health regulations sporadically. In both the government-controlled and the Turkish Cypriot areas, factory inspectors processed complaints and inspected businesses to ensure that occupational safety laws were observed. Turkish Cypriot workers who file complaints do not receive satisfactory legal protection and may face dismissal.

There were reports of the mistreatment of maids and other foreign workers in the Greek Cypriot press. Such reports usually involved allegations that maids, often from East or South Asia, were mistreated by their employers or fired without cause in violation of their contracts. Many women did not complain to authorities out of fear of deportation. The law protects domestic workers who file a complaint with the Labor Ministry from being deported until their cases have been adjudicated.

A significant percentage of the labor force in the north consisted of illegal migrants, mainly from Turkey. According to some estimates, illegal workers constituted as much as 10 to 15 percent of the work force there. There were frequent allegations that such workers were subject to mistreatment, including the nonpayment of wages and threats of deportation.

f. Trafficking in Persons

The law in the government-controlled area criminalizes trafficking, but the regulations in the Turkish Cypriot community do not specifically prohibit trafficking, and women trafficked into both communities for the purpose of prostitution was a problem. There were allegations of police corruption in the government-controlled area.

In the government-controlled area, it is a felony to engage in the sexual exploitation and trafficking of adults (with or without their consent) and children. The Court may order persons convicted of trafficking to pay part or all of the expenses incurred for the provision of protection, temporary shelter, medical care and psychiatric care for victims. The Court may also order persons convicted to pay compensation to the victim, including repatriation expenses. Responsibility for combating trafficking was shared by the Ministries of Justice, Labor, and the Interior and the Attorney General's office.

While there is no law against trafficking in the Turkish Cypriot community, a law designed to regulate the hiring of women in nightclubs provides penalties for women and employers who engage in prostitution. Turkish Cypriot

authorities denied the existence of trafficking and have not allocated resources to combat it. Turkish Cypriot authorities claimed that a study into trafficking issues was conducted and presented orally to Turkish Cypriot leader Rauf Denktaş; there were no written results, and authorities were unwilling to discuss the study further.

It is a misdemeanor in both communities to procure a woman for prostitution.

The Government reported that there were no arrests or convictions for trafficking during the year and maintained that most women who claimed to be trafficking victims choose to return to their home countries voluntarily without testifying in court. There were reports that cabaret owners and "artiste" agents pressured women to withdraw complaints made about their situations or not to follow through with their intention to testify in court.

Since the Government enacted the anti-trafficking legislation in 2000, there have been no arrests or convictions under this section of the law. In May, the press reported that two Belarus women working in a pub claimed that their employer raped them and tried to force them into prostitution. The press reported that the police were seeking the alleged perpetrator, but, at year's end, authorities were unable to provide any information on the incident.

On November 25, the office of the Ombudsman published a report on trafficking which concluded that the country was both a destination and transit point for women being channeled into the sex industry and that immigration authorities were fully aware and, to a great extent, tolerant of the situation. The report concluded that "essentially nothing had been done" by the Government to combat trafficking. The report found the legal framework for combating trafficking to be generally satisfactory, but made recommendations about improving implementation of existing regulations. The report also recommended that trafficking and sexual exploitation of minors be addressed by separate legislation.

The country was a destination for women trafficked from Eastern Europe, primarily Ukraine, Romania, Moldova, Russia, Belarus, and Bulgaria, although there were no reliable statistics on the number of trafficking victims. Some East European women entered government-controlled areas of the country on temporary 3-month "artiste" visas (renewable for an additional 3 months) to work at a specific cabaret or nightclub. The Government issued approximately 4,000 "artiste" visas during the year. The maximum number of "artistes" employed in the country at any time was 1,400. Additionally, some East European women entered the country on work visas as barmaids with set contracts and terms of employment, while others entered on tourist visas and worked illegally.

Foreign women working as "artistes" or barmaids were vulnerable to trafficking and exploitation. In some cases, women reportedly were forced to surrender their passports, perform sexual services for clients, or were not paid their full salaries. A similar pattern existed in the recruitment of East European women to work as prostitutes in nightclubs in the Turkish Cypriot community, and reports persisted that nightclub workers were coerced.

For example, a 25-year-old mother from Belarus reported that she had arranged to work during the year as a nightclub dancer on a 3-month employment contract through a Belarusian agency and was given a written assurance that the job would not require any sexual activities. When the victim arrived in the country, the club owners confiscated her passport and explained she would be required to work as a prostitute in the club and repay her "debt" for the cost of her visa and travel. During the 3 months, the victim reported being abused physically and psychologically by the club's owners and by clientele. Once the club's owners were satisfied that they had recovered their expense, the victim was released and returned to Belarus. The victim reported that an additional 20 women were trafficked and forced to work under similar conditions in the same club.

There have been allegations of corruption in the Police Immigration Unit. While not admitting corruption was a problem, the Ministry of Justice changed the unit's entire staff during the year and advocated regularly reassigning the unit's personnel to prevent corruption.

The law obligates the Government to provide protection and support for trafficking victims by allowing them to remain in the country to press charges or by facilitating their return home. During the year, there were no reports of trafficking victims seeking to exercise their rights under this law.

Under the law, the Government must provide shelter, medical, and psychiatric care to trafficking victims until they have recovered from the trauma of their experience. The Government may appoint a guardian for victims to advise and give counsel, and to represent the victim with the appropriate government agency. Victims may sue traffickers for damages. There were no comparable legal protections in the Turkish Cypriot community; consequently, many of the victims were reluctant to press charges, fearing retaliation by employers or deportation.

NGOs that protect the rights of women and immigrant workers were available to assist trafficking victims; however,

they reported that they rarely received any requests for assistance.

There were no prevention efforts or public awareness campaigns in either the government-controlled area or the area under Turkish Cypriot administration.